

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK
-----X
DENISE SCARANGELLA,

Plaintiff,

-against-

NORTH SHORE UNIVERSITY
HOSPITAL,

Defendant.
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APPEARANCES:

DENISE SCARANGELLA
Plaintiff, Pro Se
33 Clinton Street
Sea Cliff, New York 11579

NO APPEARANCE

North Shore University Hospital

SPATT, District Judge:

On April 12, 2005, pro se plaintiff Denise Scarangella filed a complaint alleging a violation of the Americans with Disabilities Act of 1990, as codified in 42 U.S.C. §§ 2e to 2000e-17. Presently before the Court is plaintiff's petition to proceed in forma pauperis. The Court has reviewed the affidavit accompanying plaintiff's motion and for the reasons stated below, the motion is GRANTED.

Plaintiff states that she is employed and earns a monthly salary of \$1,632.00. She has savings of \$400.00. Her monthly debts include \$250.00 for food; \$150.00

ORDER

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(ADS)(WDW)

for clothing; \$100.00 for telephone; \$29.00 for medical expenses; \$732.00 for transportation; and \$400.00 for credit card expenses she incurred while unemployed.

The Supreme Court established the level of poverty necessary to be eligible for in forma pauperis status. It determined that "an affidavit is sufficient which states that one cannot because of his poverty pay or give security for the costs [inherent in litigation] and still be able to provide himself and dependents with the necessities of life." Adkins v. E.I. Du Pont De Nemours & Co., Inc., 335 U.S. 331, 339, 69 S. Ct. 85, 93 L.Ed. 43 (1948)(internal quotation marks and citations omitted).

Based on the plaintiff's assets, income, and expenses, the Court finds that she cannot gather sufficient funds to commence this lawsuit.

Accordingly, plaintiff's motion to proceed in forma pauperis is **GRANTED**, and the Clerk's Office is directed to serve a copy of the Complaint upon the Defendants by certified mail.

SO ORDERED.

Dated: Central Islip New York
April 28 , 2005

ARTHUR D. SPATT
United States District Judge